IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.839 OF 2000
(Divisional Controller, MSRTC, Nanded Vs. Maruti Vyankoba Jaybhye)
WITH
CIVIL APPLICATION NO.1095 OF 2003

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 03/03/2018

PER COURT :

1. Since this petition is already on the final hearing board, Civil Application No.1095/2003 does not survive and stands disposed of.

2. Since none have appeared in this matter, I could have decide this petition without the assistance of the learned Advocates considering the fact that the Industrial Court has vitiated the enquiry and without following the Law of permitting the employer to initiate a *denovo* enquiry, Revision (ULP) No.47/1998 is allowed and the respondent is granted reinstatement with continuity in service without back wages.

3. This Court had declined to grant interim relief to the Corporation by order dated 05/10/2000 and had admitted the

petition. The learned Division Bench, vide judgment dated 10/01/2001 in LPA No.1/2001 filed by the Corporation, had allowed the LPA and stayed the judgment of the Industrial Court.

4. Stand over to 20/03/2018 for "passing orders".

(RAVINDRA V. GHUGE, J.)